

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

TESLA, INC.,)	3:18-CV-0296-LRH-CLB
)	
Plaintiff(s),)	<u>MINUTES OF PROCEEDINGS</u>
)	
vs.)	DATE: December 13, 2019
)	
MARTIN TRIPP,)	
)	
Defendant(s).)	
_____)	

PRESENT: THE HONORABLE CARLA BALDWIN, U.S. MAGISTRATE JUDGE
Deputy Clerk: Lisa Mann Court Reporter: Liberty Recorder
Counsel for Plaintiff(s): Sean Gates
Counsel for Defendant(s): William Fischbach

PROCEEDINGS: TELEPHONIC MOTION HEARING

8:59 a.m. Court convenes.

The Court addresses the parties regarding the purpose of this hearing and advises counsel of the papers the Court reviewed in preparation for this motion hearing.

The Court finds Martin Tripp's motion to seal motion to compel deposition of Elon Musk under LR IA 10-5 (ECF No. 108) is GRANTED in part and DENIED in part. The motion is granted insofar as the Court finds that only Exhibits L, M, and N of the motion shall be sealed. However, at the conclusion of this proceeding counsel shall meet and confer to determine exactly what should be sealed and; thereafter, the defendant shall file a redacted version of the motion forthwith. If counsel are unable to resolve the issue, counsel shall contact the Court to reconvene this hearing for a resolution.

The Court provides counsel with an explanation as to why the Court denied plaintiff's motion to file a surreply (ECF No. 124).

The Court and counsel discuss the defendant's motion to compel deposition of Elon Musk (ECF No. 107).

Having heard from counsel and good cause appearing, the Court finds that Elon Musk shall be deposed. The deposition will be limited to issues in this case only and shall be allowed for a total of three (3) hours. The Court will allow Elon Musk to be deposed on items 1, 2, 3, and 5 as outlined in Exhibit K of the motion to compel (ECF No. 107). The Court will not allow Elon Musk to be deposed on item 7, limits deposition topic item 6 as to Mr. Tripp only, and will allow deposition topic 4 limited to the counter-claim and those items related to Mr. Musk's actions or information gleaned through the investigation provided to Mr. Musk of which resulted in action by Mr. Musk. If any issues arise at the deposition, counsel are directed to immediately contact the Court for resolution. Counsel shall file, under seal, a notice advising the Court of the date and time for the deposition of Elon Musk.

The Court notes that discovery closes on January 31, 2020. Therefore, counsel have leave to file a stipulation for a brief extension of the discovery cut-off to allow for the deposition of Mr. Musk.

IT IS SO ORDERED.

9:55 a.m. Court adjourns.

DEBRA K. KEMPI, CLERK

By: /s/
Lisa Mann, Deputy Clerk